

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STANTON HARRY MCCAIN II,

Petitioner,

V.

DONALD R HOLBROOK,

Respondent.

Case No. C18-328-RAJ-MLP

ORDER GRANTING
RESPONDENT'S MOTION FOR
EXTENSION OF TIME

This is a 28 U.S.C. § 2254 habeas action. Petitioner's response to the Court's order to

show cause is due May 10, 2019. (Dkt. # 29.) On April 15, 2019, Petitioner filed a motion asking

the Court to order Respondent to provide him access to his legal property, so he could assist his

attorney in responding to the Court's order to show cause. (Dkt. ## 30 (original motion), 31

(amended motion).) The motion was noted for April 26, 2019.

In lieu of filing a response, Respondent moved for an extension of time until May 8.

2019, to respond. (Dkt. # 32.) According to counsel for Respondent, “[a]n extension of time is

necessary to ensure all of Mr. McCain's property has been shipped and provided to him." (Dkt. #

33 at ¶ 4.) Petitioner did not file an opposition to Respondent's motion for extension of time.

Based on the foregoing, the Court GRANTS Respondent's motion for extension of time (dkt. # 33), and ORDERS Respondent to file his response to Petitioner's motion (dkt. ## 30, 31) by May 8, 2019. The Clerk is directed to RE-NOTE Petitioner's motion (dkt. # 30) for May 10, 2019. Petitioner shall file a reply by the noting date and should, at a minimum, inform the Court what legal materials he has received and whether there are legal materials he is still unable to access.

The Court also directs the Clerk to RESET the deadline for Petitioner to respond to the Court's order to show cause to May 31, 2019, and to send copies of this order to the parties and to the Honorable Richard A. Jones.

Dated this 8th day of May, 2019.

W. J. Ferguson

MICHELLE L. PETERSON
United States Magistrate Judge